IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

FRIDAY, THE EIGHTH DAY OF APRIL,
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR BILAL NAZKI,

THE ACTING CHIEF JUSTICE

and
THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT APPEAL NO : 493 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 29/12/2004 in WP NO : 24542 OF 2004 on the file of the High Court.)

Between:

Bathini Venkat Reddy, s/o Seethareddy,
r/o Dindichintapally Village of Vangoor Mandal, Mahaboobnagar District.

..... APPELLANT

AND

1 The District collector, Mahabubnagar District.
2 The Revenue Divisional officer, Mahabubnagar,

Mahabubnagar District.
3 The Mandal Revenue Officer, Vangoor Mandal,

Mahabubnagar District.

.....RESPONDENTS

Counsel for the Appellant:MR.K.SRINIVAS
Counsel for the Respondents No.: GP FOR REVENUE

The Court at the admission stage, made the following :

JUDGMENT (Per Hon'ble the Acting Chief Justice)

The learned single Judge has dismissed the writ petition challenging the order dated 4.11.2004, cancelling the assignment of land.

2. A suit is pending seeking declaration and perpetual injunction, in which the respondents had given an undertaking that they will not interfere with the possession of the appellant. During pendency of the suit, respondents have issued proceedings dated 4.11.2004 cancelling the assignment.

3. It is submitted at the bar that the order passed by the Collector cancelling the assignment, is an appealable order.

4. Though we agree with the learned counsel for the appellant that issuance of order dated 4.11.2004 has given rise to a fresh cause of action, but the order being appealable, we don't entertain this writ appeal and give liberty to the appellant to file an appeal against the order before the appellate authority.

5. Accordingly the writ appeal is dismissed. No costs.

BILAL NAZKI, HACJ

DR.G.YETHIRAJULU,J

AVS

DATE:08.04.2005

.....REGISTRAR

To

1 The District collector, Mahabubnagar District.
2 The Revenue Divisional officer, Mahabubnagar,

Mahabubnagar District.
3 The Mandal Revenue Officer, Vangoor Mandal,

Mahabubnagar District.

4. 2 CCs to G.P. for Revenue, A.P. High Court

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